

10/531293  
JC13 Rec'd R PTO 14 APR 2005 #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : To Be Assigned  
First Named Inventor : Hasso MEINERT, et al.  
Filed : April 14, 2005  
Docket No. : 037204.56176US  
Customer No. : 23911  
Title : Production of a Dye Agent for Coloring Cells in the Human or Animal Body

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 AND 1.98**

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and/or listed herein and which the Examiner may deem relevant to patentability of the claims of the above-identified application.

The relevance of WO 99/58160 and U.S. Patent No. 4,764,360 to the subject matter of the present invention is given in the specification of the present invention.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicants enclose herewith a copy of a corresponding foreign Search Report citing such documents.

The present Information Disclosure Statement is being filed (1) no later than three months from the application's filing date or (2) before the mailing

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Masso MEINERT, et al.  
Attorney Docket No. 037204.56176US

date of the first Office Action on the merits (whichever is later), and therefore no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

April 14, 2005



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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

Approved for use through January 2009. GPO:2007-093

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Substitute for form 1449A/PTO		<i><b>Complete if Known</b></i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application Number	To Be Assigned
(use as many sheets as necessary)		Filing Date	April 14, 2005
		First Named Inventor	Hasso MEINERT
		Art Unit	To be Assigned
		Examiner Name	To be Assigned
Sheet	1	of	1
		Attorney Docket Number	
		037204.56176US	

FOREIGN PATENT DOCUMENTS						
Examiner Initials'	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> —Number <sup>4</sup> —Kind Code <sup>5</sup> (if known)				
		<b>WO 99/58160</b>	<b>05-07-1999</b>			
		<b>WO 03/043548</b>	<b>05-30-2003</b>			
		<b>WO 02 07693</b>	<b>01-31-2002</b>			
		<b>GB 2 026 015</b>	<b>01-30-1980</b>			
		<b>EP 0 037 905</b>	<b>10-21-1981</b>			
		<b>WO 99/58160</b>	<b>11-18-1999</b>			

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>	
		<b>International Search Report</b>		
		K.D. SOLOMON, et al., "Protective Effect of the Anterior Lens Capsule During Extracapsular Cataract Extraction", Ophthalmology, J.B. Lippincott Co., May 1, 1989, pages 591-597, XP002082494.		
		M. VECKNEER, et al., "Ocular Toxicity Study of Trypan Blue Injected Into the Vitreous Cavity of Rabbit Eyes", Graefe's Archive of Clinical and Experimental Ophthalmology, November 8, 2001, pages 698-704, XP002268940.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English Language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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